

Appln. No. 10/828,748

Attorney Docket No. 10541-1837

**II. Remarks**

By this paper, Applicants are canceling claim 10; amending claims 11-20; and adding claims 21-22. Therefore, after entering this amendment, claims 1-9 and 11-22 are currently pending.

Reconsideration and further examination of this application in view of the above amendments and the following remarks is therefore respectfully requested.

***Election/Restrictions***

Responsive to the restriction requirement, Applicants hereby affirm the provisional election of figures 1-4 and claims 1-20 that was made during the telephone conversation on March 17, 2005. As stated by the Examiner in the Office Action, at least claim 1 is generic.

As mentioned above, Applicants are adding claims 21 and 22 by this paper. These claims are both readable upon the elected species. Applicants further assert that claims 21 and 22, along with claims 1-9 and 11-20, are all readable upon the elected species.

***Further Claim Clarifications***

Prior to discussing the cited references, it is believed that a brief discussion on the current form of claims 21 and 22 is warranted. Claims 21 and 22 have been added to clarify, more particularly to point out and distinctly claim that which Applicant regards as the subject matter of the present invention.

Independent claim 21 recites an automotive seat assembly comprising a pair of rear seats and an armrest disposed therebetween. The armrest includes an elongated base defining a opposing first and second ends, wherein the *first end of the base is pivotably mounted between a pair of rear seats*. (Emphasis added) The armrest also includes an elongated lid that is pivotably mounted to the *adjacent to the second end of the base*. (Emphasis added) The lid also includes a *video display screen*. (Emphasis added) No new matter is being introduced by the addition of claim 21. Furthermore, Applicant respectfully asserts that claim 21 is not disclosed by the referenced cited by the Examiner.

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Claim 22, which depends from claim 21 recites an automotive seat assembly, where the base includes a padded lower surface and the lid includes a padded upper surface. No new matter is being introduced by the addition of claim 21.

**Claim Rejections – 35 U.S.C. § 102(b)**

The Examiner explicitly rejected only claims 1-4 under 35 U.S.C. § 102(b) as being anticipated by *Lain* (U.S. Patent No. 5,179,447). However, based on the text of on pages 3-5 of the Office Action, it appears that the Examiner meant to reject claims 1-6, 8-11, and 13-20 as being anticipated by *Lain*. Applicant respectfully asserts that *Lain* fails to disclose each and every element recited in claim 1. More specifically, Applicant asserts that *Lain* fails to disclose an armrest having elongated base and an elongated lid that are each pivotable and have a padded surface, as recited in claim 1.

Claim 1 recites an armrest adapted to be pivotally mounted on an armrest support. The armrest includes an elongated base and lid. The base includes, among other recited elements, a *first end adapted to be pivotally mounted on the armrest support*, and a *padded lower surface*. (Emphasis added) The lid of the armrest also includes a first end, which is *pivotally mounted on the base proximate to the second end of the base*. Further, the lower surface of the lid is *defined at least in part by a video display screen* and an upper surface of the lid is *padded*. (Emphasis added)

Conversely, *Lain* discloses a fixed console 12 having a video player module 16 that selectively houses a video monitor 22. (*Lain*, Figs 1 – 4c, col. 3, lines 9-56). The console 12 disclosed in *Lain* cannot be considered to include a base as recited in claim 1 because the base of *Lain* is not pivotally mounted to its support. In fact, the console 12 is not disclosed as being pivotally mounted at all.

Additionally, the video player module 16 disclosed in *Lain* cannot be considered to be a base as recited in claim 1 because it is fixedly connected to the console 12 and is therefore not pivotally mounted to an armrest support. Also, the video player module 16 does not define a frame having a padded surface as recited in claim 1.

Furthermore, the video monitor 22 disclosed in *Lain* cannot be considered to be a lid as recited in claim 1 because it does not have a lower surface that overlies

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an upper surface of the base when the lid is in the closed position as recited in claim 1. Rather, the video monitor 22 is received and stowed within the video player module 16. Also, the video monitor 22 does not define a frame having a padded surface as recited in claim 1.

As readily seen from the above discussion, numerous elements recited in claim 1 are not correspondingly found in *Lain*. Claim 1 is therefore allowable.

Claims 2-9, which depend from claim 1, are also allowable for the reasons provided above.

With regard to the other previous independent claim, Claim 10 has been cancelled and the Examiner's rejection thereof is now moot.

#### ***Claim Rejections – 35 U.S.C. § 103***

The Examiner rejected claims 7-12 under 35 U.S.C. § 103(a) as being unpatentable over *Lain* in view of *Troy* (5,556,017).

Claim 7 depends from claim 1 and is allowable for the reasons discussed above. Furthermore, *Troy* fails to cure the deficiencies of *Lain*.

For example, *Troy* fails to disclose an armrest that is pivotably mounted to an armrest support as recited in claim 1, a base with a first end that is pivotably mounted on the armrest support, and a lid that is pivotably mounted on the base. The console 12 in *Troy* is not pivotable, and the phone bracket 22 is not a lid as recited in claim 1 because it is received within the console 12 rather than overlying an upper surface of the console 12. (*Troy*, Figures 1-2, col. 2, lines 12 – 51). Therefore, claim 7 is allowable.

Similarly, claim 12, which depends from claim 2, and is allowable for the reasons discussed above since *Troy* fails to cure the deficiencies of *Lain*. *Troy* fails to disclose an armrest base that is pivotably mounted to an armrest support as recited in claim 21 and a lid that is pivotably mounted on the base. The console 12 in *Troy* is not pivotable, and the phone bracket 22 is not a lid as recited in claim 1 and does not overlie the upper surface of the console 12. (*Troy*, Figures 1-2, col. 2, lines 12 – 51). In view of the above, claim 12 is allowable.

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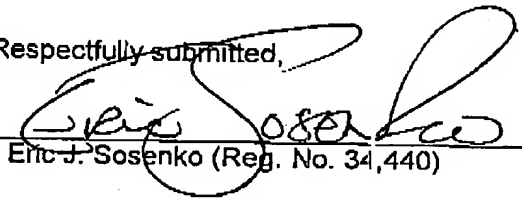
**Conclusion**

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of record and that this application is now in condition for allowance. The Examiner is invited to contact the undersigned attorney via telephone, (734) 302-6000, if such is believed to expedite the allowance of this application.

6/30/05  
Date

Attachment: None

Respectfully submitted,

  
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